REMARKS/ARGUMENTS

Please amend the current application as specified in the "Amendments to the Specification" section of this response. Three paragraphs are being amended merely for grammatical reasons and no new material is being introduced.

Examiner:

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Simopoulos et al. (U.S. patent 4,595,861). Claims 1-3 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herzog (U.S. Patent # 3,869,639) in combination with Matsuda et al. (U.S. Patent 5,453,667). Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response:

1. Concerning Simopoulos et al. and claim 1

Simopoulos et al. disclose a power supply for electro-luminescent panels where the power supply shuts down upon the occurrence of a short in the electro-luminescent panel (Col.1, lines 51-56). To implement the invention, two oscillating circuits of different frequencies are used. "The circuit of FIG. 3 utilizes a high frequency oscillator which supplies power to a voltage multiplier circuit which, in turn, supplies high voltage to the driver transistors for the panel. A relatively lower frequency oscillator controls the application of the high voltage provided by the voltage multiplier at a substantially lower frequency for the purpose of maintaining the longevity of the panel." (Col.5, lines 1-8). Thus, the two oscillating circuits are used in combination to provide high voltage at a low frequency to the panel. Also referring to Fig.3, the disclosure continues with "Means for starting and maintaining oscillations includes a momentary starting switch 70, which, when depressed,

applies input DC power from line 55 to a line 72 connected to the input of the CMOS circuit 49." "Thus, when the momentary switch 70 is released, the oscillations will continue unless and until the output of the voltage multiplier is overloaded for whatever reason, usually associated with failure of the EL lamp, as previously defined." (Col.5, lines 51-68). Thus, the switch 70 has no disclosed function other than that of starting the oscillations and plays no part in deciding which one of the two oscillation circuits provides the power to the lamp. Attempting to modify the disclosure to include a switch that selectively provides power to one or the other of the two oscillation circuits would alter a principle of operation of the device because both oscillation circuits are required to be operating to provide the safety shutdown feature at which the disclosure is directed.

On the other hand, the present invention comprises two oscillation circuits operating at different frequencies. The two oscillation circuits are not used in combination, but rather independently. Only one of the present invention oscillation circuits is being utilized at any one time, but each of the two oscillation circuits, in turn, provides power to the lamp. When turning on the lamp, the first switch connects the DC power supply with the higher frequency oscillation circuit in order to provide a high power level providing a fast startup for the lamp. Then, the first switch disconnects the DC power supply from the higher frequency oscillation circuit and connects the DC power supply to the lower frequency oscillation circuit in order to provide a reduced power level to the lamp to not reduce the lifetime of the lamp (Paragraph [0021]).

Claim 1 as filed comprises the limitations of "a transformer coupled to the first oscillating circuit and the second oscillator for transforming the first AC voltage provided by the first oscillating circuit or the second AC voltage provided by the second oscillator into a third AC voltage and passing the third AC voltage to the lamp circuit;" and "wherein the first switch selectively passes the DC voltage to the first oscillating circuit or the second oscillating circuit." The underlining of the two

usages of the word "or" is added here for emphasis. The lamp received transformed voltage from either the first or the second oscillation circuit, and the decision of which oscillator provides the voltage is determined selectively by the first switch.

The Applicant is unable to find teachings in Simopoulos et al. anticipating, suggesting, motivating, or making obvious the above cited claim 1 limitations and respectfully requests reconsideration of claim 1 under this rejection.

2. Concerning Herzog in combination with Matsuda et al. and claims 1-3 and 8-9.

Herzog discloses an emergency lighting system, which switches on automatically during line voltage failure (Col.1, lines 47-49). Referring to Fig.1, Col.4, lines 37-49 state: "However, during emergency operation, transistor Q4 is periodically switched into conduction, which allows current to flow through capacitor C3. This changes the frequency of the tuning circuit. This in turn, affects the frequency of operation of inverter-oscillator 10 because the tuning circuit is magnetically coupled to the other inverter-oscillator windings. When capacitor C3 is switched into the tuning circuit the frequency of the inverter-oscillator is lowered in the exemplification embodiment. When transistor Q4 is turned off by the lack of an output pulse from PUT Q2, capacitor C3 is switched out of the tuning circuit and the frequency of the inverter-oscillator 10 increases." Thus, Herzog discloses pulsating a single oscillator circuit (10) between two different frequencies and is disclosed and claimed as such.

The Examiner has agreed that Herzong fails to disclose utilizing a first switch for selectively passing the DC voltage to the first and the second oscillating circuits and suggests that the switch 6 of Matsuda et al. could be incorporated into the teachings of Herzong to anticipate the present invention.

First, it is noted that switch 6 of Matsuda et al. is connected such that it selectively controls which respective output of oscillator circuits 2 or 4 (Fig.1) is transmitted to an amplifier. Thus, the physical structure is different than the present invention, which

couples the switch to respective inputs of the first and second oscillator (Claim 1).

Additionally, although the Examiner has suggested that a motivation of "suppressing interference noise in a lamp lighting apparatus" exists for modifying Herzog's device to utilize the switch of Matsuda et al., it is not clear to the Applicant exactly why or how this is to be done.

As previously stated, Herzog discloses pulsating a single oscillator circuit between two different frequencies. Although the Applicant disagrees with this view, it may be possible that the Examiner is suggesting that the emergency flashing circuit 9 of Herzog can be considered a second oscillator due to the tuning windings 23 being magnetically coupled to the other windings in the oscillator circuit 10 and affecting the outputted frequency (Col.3, lines 33-40). If this is the case, and the Examiner is suggesting that the switch of Masuda et al. might be used to select between the oscillator circuit 10 and the emergency flashing circuit 9, it is pointed out that the oscillator circuit 10 is taught as always being connected to the power source, and changing this feature through disconnection using the switch would again change an operational principle of the disclosure and is therefore not considered obvious. In contrast, the present invention selectively engages one of the oscillator circuits and electrically disconnects the non-selected oscillator circuit. Even utilizing the switch to merely engage the emergency flashing circuit 9 rather than select between them does not resolve this discrepancy.

For at least the above cited reasons, the Applicant has demonstrated that the present invention represents a new and useful device not taught, suggested, or made obvious by known prior art, alone or in combination and therefore respectfully requests reconsideration of claims 1-9 under this rejection.

Respectfully submitted,

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